

## TWENTIETH DAY.

(Friday, February 6, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

|                  |                   |
|------------------|-------------------|
| Acker.           | High.             |
| Albritton.       | Hollowell.        |
| Alexander        | Hoskins.          |
| of Bastrop.      | Irwin.            |
| Alexander        | Jacks.            |
| of Limestone.    | Jasper.           |
| Amsler.          | Johnson.          |
| Atkinson.        | Jordan.           |
| Avis.            | Kayton.           |
| Baker of Orange. | King.             |
| Baker of Panola. | Kinnear.          |
| Barker.          | Kittrell.         |
| Barron.          | Laird.            |
| Bartlett.        | Lane of Hamilton. |
| Bateman.         | Lane of Harrison. |
| Bean.            | Lipscomb.         |
| Blount.          | Loftin.           |
| Bobbitt.         | Low.              |
| Boggs.           | Mankin.           |
| Bonham.          | Masterson.        |
| Brown.           | McBride.          |
| Bryant.          | McDonald.         |
| Cade.            | McFarlane.        |
| Carter.          | McGill.           |
| Chitwood.        | McKean.           |
| Coffey.          | Merritt.          |
| Conway.          | Montgomery.       |
| Coody.           | Moore.            |
| Covey.           | Nicholson.        |
| Cox of Navarro.  | Parish.           |
| Cummings.        | Pavlica.          |
| Dale.            | Pearce.           |
| Davis of Dallas. | Perdue.           |
| Davis of Wood.   | Petsch.           |
| DeBerry.         | Poage.            |
| Dielmann.        | Pool.             |
| Dinkle.          | Pope.             |
| Donnell.         | Purl.             |
| Downs.           | Rawlins.          |
| Dunlap.          | Raymer.           |
| Dunn of Falls.   | Renfro.           |
| Dunn of Hopkins. | Rice.             |
| Durham.          | Robinson.         |
| Enderby.         | Rogers.           |
| Farrar.          | Rowell.           |
| Faulk.           | Rowland.          |
| Fields.          | Runge.            |
| Finlay.          | Sanford.          |
| Florence.        | Shearer.          |
| Foster.          | Sheats.           |
| Frnka.           | Simmons.          |
| Graves.          | Simpson.          |
| Gray.            | Sinks.            |
| Hagaman.         | Smith of Nueces.  |
| Hall.            | Smith of Travis.  |
| Harman.          | Smyth.            |
| Harper.          | Sparks.           |

|                 |             |
|-----------------|-------------|
| Stautzenberger. | Wade.       |
| Stell.          | Walker.     |
| Stevens.        | Wallace.    |
| Stevenson.      | Webb.       |
| Storey.         | Wells.      |
| Stout.          | Westbrook.  |
| Strong.         | Wester.     |
| Taylor.         | Williamson. |
| Teer.           | Wilson.     |
| Thompson.       | Woodruff.   |
| Tomme.          | Young.      |
| Veatch.         |             |

Absent.

|               |          |
|---------------|----------|
| Bedford.      | Houston. |
| Cox of Lamar. |          |

Absent—Excused.

|          |            |
|----------|------------|
| Bird.    | Kenyon.    |
| Daniels. | Maxwell.   |
| Hull.    | McDougald. |
| Jones.   | McNatt.    |
| Justice. | Powell.    |
| Kemble.  |            |

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business:

Mr. Dunlap for today, on motion of Mr. Jacks.

Mr. Kemble for today, on motion of Mr. Rowland.

Mr. McNatt for today and tomorrow, on motion of Mr. McFarlane.

Mr. Daniels for today and tomorrow, on motion of Mr. Johnson.

Mr. McDougald for today, on motion of Mr. Johnson.

Mr. Jones for today, on motion of Mr. Strong.

Mr. Bird for today and tomorrow, on motion of Mr. Loftin.

The following members were granted leave of absence on account of sickness:

Mr. Hull for today, on motion of Mr. Cade.

Mr. Kenyon for today, on motion of Mr. Shearer.

Mr. Justice for today, on motion of Mr. Coody.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McFarlane:

H. B. No. 383, A bill to be entitled

"An Act providing that the Attorney General shall bring suit for certain State lands, fixing the venue; providing claimants shall file affidavit and bond for the recovery of said lands, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Shearer:

H. B. No. 384, A bill to be entitled "An Act to regulate the practice of law; defining the practice of law; providing a penalty for the violation of the provision of the act, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Dinkle:

H. B. No. 385, A bill to be entitled "An Act to create the Wolfe City Independent School District in Hunt county, Texas, including the present Wolfe City Independent School District of said county; providing for a board of trustees in said district; vesting said independent school district and board of trustees with all the powers, rights, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Wolfe City Independent School District shall continue to act as such herein; divesting the city of Wolfe City of the control of the public schools of the district as created by this act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Barron:

H. B. No. 386, A bill to be entitled "An Act conferring upon the board of directors of the Agricultural and Mechanical College of Texas the right of eminent domain, and declaring an emergency."

Referred to Committee on Education.

By Mr. Young:

H. B. No. 387, A bill to be entitled "An Act authorizing the issuance of teachers' certificates by the State Superintendent to graduates of approved schools complying with requirements of this act and instructions, and fixing fees therefor, and declaring an emergency."

Referred to Committee on Education.

By Mr. McFarlane:

H. B. No. 388, A bill to be entitled "An Act providing that the heirs of a person whose whereabouts is unknown

may file affidavit showing the existence of property; providing for service of citation and for the appointment of an administrator of the estate; providing the administrator shall take oath and make bond; providing for methods of handling the estate and the disbursement of funds; providing for termination of administration and the payment of cost, etc.; providing for the repealing of all laws in conflict herewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Woodruff:

H. B. No. 389, A bill to be entitled "An Act to amend Article 375, Title 14, Chapter 1, of the Revised Civil Statutes of Texas, 1911, relating to the capital stock of banks and providing that suburban centers in towns and cities of more than one hundred thousand (100,000) population and more than two (2) miles from the main business sections of such towns and cities may establish and incorporate banks with a maximum capital of fifteen thousand dollars (\$15,000), and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Pope:

H. B. No. 390, A bill to be entitled "An Act to create the Anson Independent School District in Jones county, Texas, including therein the present Anson Independent School District, incorporated under the general laws; providing a board of trustees therefor, vesting said Anson Independent School District board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing for the validation of all contracts, bonds or other valid indebtedness and tax levies of the present Anson Independent School District, as the subsisting obligations and acts of the Anson Independent School District as created by this act; providing for an election to determine as to the assumption of outstanding bonded indebtedness of territory hereby incorporated, as herein set out, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Bonham:

H. B. No. 391, A bill to be entitled "An Act amending Article 5515 of the Revised Civil Statutes of the State of Texas, 1911, providing present biennial sessions of the Legislature into two

terms each; describing the length of such terms; the time when they shall convene; regulating the work to be performed in each; and repealing all laws or parts of laws in conflict herewith."

Referred to Judiciary Committee.

By Mr. Woodruff:

H. B. No. 392, A bill to be entitled "An Act to amend Chapter 184 of the Acts of the Thirty-eighth Legislature, being Senate bill No. 268, relating to the compensation of county commissioners, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Frnka:

H. B. No. 393, A bill to be entitled "An Act to amend Article 1120 of Title 15, of Chapter 1, of the Code of Criminal Procedure of 1911, as amended by Chapter 127 of the Acts of the Regular Session of the Thirty-fourth Legislature and by Chapter 70 of the Acts of the Regular Session of the Thirty-sixth Legislature, so as to provide that the maximum number of days for which a district attorney may receive pay shall not exceed 230 in any one year in all judicial districts of this State composed of two counties or more, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Nicholson and Mr. Kinnear:

H. B. No. 394, A bill to be entitled "An Act to amend Article 1399 of the Revised Statutes of Texas, by providing that the assessor of taxes and collector of taxes in counties having within their boundaries a city or cities, other than the county seat, having a population of 20,000 or more, may maintain a branch office in said city or cities with one or more deputies, and providing for the payment of expenses for maintaining said office."

Referred to Committee on State Affairs.

By Mr. Graves:

H. B. No. 395, A bill to be entitled "An Act to provide for the examination, testing and reading of electric light and power meters used by private concerns to determine the amount of power used by their consumers, on complaint made by any of said consumers, in incorporated cities, towns or villages having a population of ten thousand (10,000) or less within this State; said examination, testing and reading to be made by the agents of the city council or city commissioners in said cities, towns or vil-

lages by said consumers; and further providing for the making of reports to such complaining consumers as to results of said tests, reading and examination; providing a penalty for refusal to comply with any of the provisions of this act, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

#### HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions, introduced today, were laid before the House, read severally first time, and referred to the Committee on Constitutional Amendments:

By Mr. McFarlane:

H. J. R. No. 14, Proposing an amendment to Article III of the Constitution of Texas, changing the amount and method of compensation and traveling expense of members of the Legislature.

By Mr. Wade:

H. J. R. No. 15, Proposing an amendment to the Constitution of the State of Texas, providing that all prisoners shall be bailable, unless for capital offenses when the proof is evident; provided that in all cases where the charge is murder or robbery by the use of firearms, the accused shall not be entitled to bail until it shall be so determined by a magistrate sitting as an examining court after a hearing at which the accused shall have made a full statement.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 151, to the Judiciary Committee.

Senate bill No. 147, to the Committee on Public Lands and Buildings.

Senate bill No. 149, to the Committee on Judicial Districts.

Senate bill No. 205, to the Committee on Judicial Districts.

(Mr. Chitwood in the chair.)

#### SPECIAL ORDER SET.

On motion of Mr. Finlay, House bill No. 76 was set as a special order for 11 o'clock a. m. next Monday.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Webb, Senate bill No. 3 was ordered not printed.

On motion of Mr. DeBerry, House bills Nos. 105, 50 and 327 were ordered not printed.

On motion of Mr. Dinkle, Senate bill No. 85 was ordered not printed.

**MOTION TO PRINT HOUSE BILL  
NO. 121.**

Mr. Shearer moved that House bill No. 121, reported adversely with a minority favorable report, be printed.

The motion to print was lost.

**SENATE BILL NO. 80 ON FINAL  
PASSAGE.**

Mr. Smith of Nueces moved to reconsider the vote by which Senate bill No. 80 was finally passed.

The motion to reconsider prevailed.

The Speaker then laid Senate bill No. 80 before the House on its final passage.

On motion of Mr. Smith of Nueces the bill was laid on the table subject to call. (Speaker in the chair.)

**BILLS SIGNED BY THE SPEAKER.**

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 116, "An Act authorizing owners of oil and gas permits and leases issued on University land to sell and transfer same as a whole or in tracts not less than 40 acres, except in certain cases."

S. B. No. 7, "An Act to adopt and establish a 'Penal Code' and a 'Code of Criminal Procedure' for the State of Texas."

S. B. No. 67, "An Act to amend Chapter 32, Acts of the Regular Session of the Thirty-fifth Legislature, the same being entitled 'An Act to amend Chapter 8, Acts of the Regular Session of the Twenty-eighth Legislature, the same being entitled 'An Act to aid the city of Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating and granting to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston county for a period of fifteen years, and provide a penalty for their misapplication,' by extending the provisions of said act for a period of ten years from September 1, 1918,' by extending the provisions of said act for a period of ten years from September 1, 1928."

S. B. No. 182, "An Act to amend Section 52 of Article 30, Title 5 of the Revised Civil Statutes of Texas, as amend-

ed by Chapter 100 of the General Laws of the State of Texas passed by the Thirty-eighth Legislature at its Regular Session, changing the time of holding the terms of the district court of the Fifty-second Judicial District of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

(Mr. Chitwood in the chair.)

**MOTION TO PRINT HOUSE BILL  
NO. 257.**

Mr. Lipscomb moved that House bill No. 257, reported adversely with a minority favorable report, be printed.

On motion of Mr. Purl, the motion to print was tabled.

**BILL RECOMMITTED.**

On motion of Mr. Boggs, House bill No. 279 was recommitted to the Committee on Game and Fisheries.

**COMMUNICATION FROM HON.  
CHAS. G. THOMAS.**

The Speaker laid before the House, and had read the following communication:

Lewisville, Texas, February 2, 1925.

To the Members of the House of Representatives, Austin, Texas.

Gentlemen: When I think of the messages, resolution and floral offering which you sent in memory of my deceased wife, I find that my grateful heart is full of sentiments too deep for language, of emotions too profound for words, and feelings too real to express my sincere appreciation for your thoughtfulness in this our sad hour.

The associations that were formed around the legislative halls, both by my wife and myself as well, were cherished by us both as the brightest periods in our lives. I am indeed happy of the fact that she found as many friends there as did I, and we had planned a visit this session to the Legislature together.

Please remember that I shall always have a happy memory of your kindnesses, sympathy and love shown at this dark period of my life.

Yours very sincerely,  
CHAS. G. THOMAS.

**BILL RE-REFERED.**

On motion of Mr. Wilson, House bill No. 179 was withdrawn from the Committee on Municipal and Private Cor-

porations and referred to the Judiciary Committee.

(Speaker in the chair.)

### EXTENDING PRIVILEGES OF THE FLOOR.

Mr. Covey offered the following resolution:

Whereas, There are now assembling in the city of Austin a large number of the members of the Texas Press Association; and

Whereas, The Texas press has rendered and is now rendering valuable service to the State; therefore be it

Resolved, That the visiting editors be accorded the privileges of the floor of the House of Representatives for today and Saturday of this week, as a mark of our appreciation.

Signed—Covey, Pope.

The resolution was read second time and was adopted.

### RELATING TO ADDRESS BY HON. HAMILTON HOLT.

Mr. Blount offered the following resolution:

Whereas, Doctor Hamilton Holt has been invited to address the House at 8 p. m. Tuesday, February 9; and

Whereas, The first arrangement was for Dr. Holt to address the House at 11 o'clock a. m., acting upon which Dr. Holt has arranged to speak in Waco at 8 p. m. Tuesday; therefore be it

Resolved, That Dr. Holt be invited to address the House at 11 a. m. Tuesday, February 9.

The resolution was read second time.

Mr. McFarlane moved to table the resolution.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—61.

|                  |                |
|------------------|----------------|
| Mr. Speaker.     | Conway.        |
| Acker.           | Cox of Lamar.  |
| Albritton.       | Cummings.      |
| Alexander        | Dale.          |
| of Bastrop.      | Davis of Wood. |
| Atkinson.        | DeBerry.       |
| Avis.            | Durham.        |
| Baker of Panola. | Enderby.       |
| Barker.          | Farrar.        |
| Bateman.         | Fields.        |
| Bean.            | Frnka.         |
| Bedford.         | Graves.        |
| Boggs.           | Harper.        |
| Brown.           | High.          |
| Coffey.          | Hoskins.       |

|                   |                 |
|-------------------|-----------------|
| Jordan.           | Rice.           |
| Kayton.           | Rowland.        |
| Lane of Hamilton. | Runge.          |
| Lane of Harrison. | Shearer.        |
| Lipscomb.         | Simmons.        |
| Mankin.           | Simpson.        |
| McBride.          | Sinks.          |
| McDonald.         | Smyth.          |
| McFarlane.        | Stautzenberger. |
| Merritt.          | Stell.          |
| Moore.            | Stevens.        |
| Pavlica.          | Stout.          |
| Pearce.           | Teer.           |
| Perdue.           | Thompson.       |
| Poage.            | Webb.           |
| Pope.             | Wester.         |
| Raymer.           | Woodruff.       |

Nays—55.

|                  |                  |
|------------------|------------------|
| Baker of Orange. | Low.             |
| Barron.          | McGill.          |
| Bartlett.        | Montgomery.      |
| Blount.          | Nicholson.       |
| Bobbitt.         | Parish.          |
| Bonham.          | Petsch.          |
| Bryant.          | Purl.            |
| Cade.            | Rawlins.         |
| Carter.          | Renfro.          |
| Chitwood.        | Robinson.        |
| Coody.           | Rogers.          |
| Cox of Navarro.  | Rowell.          |
| Davis of Dallas. | Sanford.         |
| Dinkle.          | Sheats.          |
| Donnell.         | Smith of Travis. |
| Downs.           | Sparks.          |
| Dunn of Falls.   | Stevenson.       |
| Dunn of Hopkins. | Storey.          |
| Faulk.           | Strong.          |
| Foster.          | Taylor.          |
| Gray.            | Tomme.           |
| Hagaman.         | Wade.            |
| Harman.          | Walker.          |
| Hollowell.       | Wallace.         |
| Jasper.          | Wells.           |
| King.            | Westbrook.       |
| Kinnear.         | Wilson.          |
| Laird.           | Young.           |
| Loftin.          |                  |

Present—Not Voting.

Hall.

Absent.

|               |                  |
|---------------|------------------|
| Alexander     | Johnson.         |
| of Limestone. | Kittrell.        |
| Amsler.       | Masterson.       |
| Covey.        | Maxwell.         |
| Dielmann.     | McKean.          |
| Finlay.       | Pool.            |
| Florence.     | Smith of Nueces. |
| Houston.      | Veatch.          |
| Irwin.        | Williamson.      |
| Jacks.        |                  |

Absent—Excused.

|          |          |
|----------|----------|
| Bird.    | Hull.    |
| Daniels. | Jones.   |
| Dunlap.  | Justice. |

Kemble.  
Kenyon.  
McDougald.

McNatt.  
Powell.

#### CONFERENCE COMMITTEE ON HOUSE BILL NO. 80.

The Speaker announced the appointment of the following conference committee on the part of the House on House bill No. 80:

Messrs. Storey, McFarlane, Petsch, Loftin and Williamson.

#### EXTENDING THANKS TO MISS FLORENCE STERLING.

Mr. Kittrell offered the following resolution:

Whereas, Miss Florence Sterling of Houston, a woman who is ever foremost with her labor and her purse to promote every good work, has caused to be laid on the desk of every member a copy of the February issue of "The Woman's Viewpoint," on page 40 of which is a most accurate and artistic picture of the equestrian statue of Sam Houston now in course of erection, and which is soon to be unveiled; therefore, be it

Resolved, That the thanks of the House be and the same are hereby tendered to Miss Sterling for her courtesy, and that a copy of this resolution be forwarded to Miss Sterling under the hand of the Speaker and Chief Clerk.

The resolution was read second time and was adopted.

#### HOUSE BILL NO. 49 ON ENGROSS- MENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 49, A bill to be entitled "An Act making unlawful the making of use of false statements in writing respecting the financial condition, or means, or ability to pay, of the person making such false statement, or causing same to be made, or of any person, firm or corporation in which he is interested, or for whom he is acting, for the purpose of obtaining money, property or credit, or making, acceptance, discount, sale or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars, whether such statements are made directly or indirectly; making such offense a felony and prescribing punishment therefor, and declaring an emergency."

The bill having heretofore been read second time.

On motion of Mr. Downs the bill was laid on the table subject to call.

#### HOUSE BILL NO. 79 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 79, A bill to be entitled "An Act amending Article 5693, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123 of the General Laws of Texas passed at the Regular Session of the Thirty-third Legislature, relating to notes secured by certain deeds of trust, or mortgages on land, and when the same shall be barred by limitation, and providing that powers of sale under deeds of trust or mortgages shall not be executed after the notes secured thereby are barred by limitation, and amending Article 5695, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123, General Laws of Texas, passed at the Regular Session of the Thirty-third Legislature and as amended by Chapter 27, General Laws of Texas, passed at the First Called Session of the Thirty-third Legislature, relating to the renewal and extension of liens that are secured by deeds of trust, mortgages, or vendor's liens on real estate, and providing that thereafter said articles shall read as herein, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 89 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 89, A bill to be entitled "An Act amending Article 3609, Chapter 29, Title 52, Revised Civil Statutes of Texas, 1911, relating to the management, control and disposition of community property by the wife of a deceased or insane husband, and repealing Article 3611, Chapter 29, Title 52, Revised Civil Statutes of Texas, 1911."

The bill was read third time and was passed.

#### HOUSE BILL NO. 4 ON ENGROSS- MENT.

Mr. Faulk moved that House bill No. 4, which bill had heretofore been laid on the table subject to call, be taken up for consideration at this time.

The motion prevailed.

(Mr. Chitwood in the chair.)

The Speaker then laid before the House, on its passage to engrossment, H. B. No. 4, A bill to be entitled "An Act releasing the inhabitants of

and property of Cameron county for a period of twenty-five years from the payment of taxes levied for State purposes because of great public calamities in said county, as provided in Section 10, Article VIII of the State Constitution, and providing that said county shall vote bonds of said county to prevent the recurrence of such calamities, and in cases of the failure of the county to vote such bonds by or before October 1, 1926, said act shall become null and void, and said taxes shall be collected in the usual manner and paid into the State Treasury, and declaring an emergency."

The bill having heretofore been read second time.

(Pending consideration of the bill, Mr. Blount occupied the chair temporarily.)

(Speaker in the chair.)

#### RECESS.

Mr. Chitwood moved that the House recess to 3 o'clock p. m. today.

Mr. Young moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. Chitwood prevailed, and the House, accordingly, at 12 o'clock m., took recess to 3 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 114, "An Act to repeal Section 506 of Chapter 5, Title 14, Revised Statutes of 1911, and declaring an emergency."

S. B. No. 112, "An Act to amend Sections 14 and 15 of Senate bill No. 4, passed at the Second Called Session of the Thirty-first Legislature, the same being entitled 'An Act to provide for the regulation and supervision of banking corporations; providing for the securing of depositors of such corporations; providing for a depositors' guaranty fund and fixing the terms by which banks and trust companies may avail their depositors of the benefits of such fund; providing for a bond for securing depositors, and providing that all banking corporations created under Chapter 10,

Acts of First Called Session of the Twenty-ninth Legislature, shall avail their depositors of protection provided for by this act, either by the depositors' guaranty fund or by bond, at their option; providing that all national banks transacting business in this State may, at their option, voluntarily avail their depositors of the protection afforded by this act; providing that banks incorporated by special act of the Legislature of the State of Texas may voluntarily, on certain conditions, protect their depositors under this act; providing that private banks may voluntarily avail their depositors of the protection by bond provided by this act; amending Sections 39, 50, 56 and 44, Chapter 10, of the Acts of the First Called Session of the Twenty-ninth Legislature of the State of Texas; prescribing additional regulations and safeguards for the protection of depositors and for savings departments; prescribing the powers and duties of the Commissioner of Insurance and Banking; creating a State Banking Board and prescribing its powers and duties; providing for penalties for the violation of this act, and declaring an emergency;" the said Sections 14 and 15 of said Senate bill No. 4 being Articles 490 and 491 of Chapter 5, Title 14, Revised Statutes of 1911, providing that State banks or State bank and trust companies that have elected to do business under the Guaranty Fund Law, as provided by said Senate bill No. 4, shall have the right by giving and filing the bond provided for under Sections 14 and 15 of said Senate bill No. 4, the same being Articles 490 and 491 of Chapter 5, Title 14, Revised Statutes of 1911, to cease doing business as guaranty fund banks and thereafter to do business and come under the provisions of the Bond Security System of said Senate bill No. 4, and providing for the return to such bank or bank and trust company its unused pro rata part of the guaranty fund as is now provided in the event of voluntary liquidation under Section 14 of said Senate bill No. 4, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

#### HOUSE BILL NO. 4 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 4, providing certain relief for Cameron county, on its passage to engrossment.

Question—Shall the bill be passed to engrossment?

ADDRESS BY HON. HENRY EDWARDS.

Mr. Covey offered the following resolution:

Whereas, The Texas Press Association is now meeting in the city of Austin; and

Whereas, Many of the members of the said organization are now within the bar of the House; and

Whereas, Hon. Henry Edwards of Troup, Texas, a distinguished member of the Texas Press Association, is among the number of visitors within the bar of the House; therefore, be it

Resolved, That Mr. Edwards be invited to address the House at this time.

The resolution was read second time and was adopted.

In accordance with the above action the Speaker announced the appointment of the following committee to escort Hon. Henry Edwards to the Speaker's stand:

Messrs. Pope, Fields and Covey.

The committee having performed their duty, Speaker Satterwhite introduced Hon. Henry Edwards.

Hon. Henry Edwards then addressed the House.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 6, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 181, A bill to be entitled "An Act declaring that Tarrant County Water Improvement District No. 1 has heretofore been duly and regularly established as a defined water improvement district in accordance with the provisions of Chapter 87, Acts of the Thirty-fifth Legislature, and acts additional thereto or amendatory thereof; defining the boundaries of said district; granting said district a special law for its local government; defining its powers; prescribing its duties and liabilities; providing for the election of directors of said district and vesting in them the management and control of all the business and property of said district; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 169, A bill to be entitled "An Act to provide for the organization

and government of water control and improvement districts under and in accordance with the provisions of Section 52 of Article 3 of the Constitution, and or, under and in accordance with the provisions of Section 59 of Article 16 of the Constitution, providing such districts may have and exercise all the authority and privileges provided by the Constitution; providing the manner of organizing and operating, issuing notes and bonds, incurring debts, levying taxes and assessments to pay bonds and debts and interest and charges thereon and operating expenses, and having such debts and bonds approved and validated, including the validation of proceedings of organization and issuance of bonds by such districts and by water improvement and irrigation districts becoming or being converted into such water control and improvement districts; providing such districts may acquire water rights and other property and buy, acquire or construct improvements, reservoirs, dams, canals, levees, drainage ditches, and any and all rights, properties or things incident to the control and improvement of rivers, streams, creeks and water courses and supplies, and including all the rights and privileges and functions provided for by the Constitution; providing such districts may contribute to or receive contributions from any person, municipal corporation, county, district, water improvement district, irrigation district, levee improvement district or improvement district; that such contributions may be made upon a definite percentage or fixed or determined basis and may be made by any such person or organization; providing for the election and the appointment of five directors and the officers and employees of a district and their qualifications and bonds and oaths, and the duties and authority thereof, the manner of incurring debts and issuing notes and bonds and levying and assessing taxes on all property in a district subject to taxation to pay such debts and operating expenses, including organization and incidental expenses; providing for receipt and expenditure of funds, selection of depositories, sale of water, including and excluding lands, and the management and operation and conduct of such districts, the consolidation of districts, joint operation of two or more districts in construction of improvements, and provisions for the government, control and operation thereof; providing that irriga-



tion and water improvement districts may be converted into water control and improvement districts; providing the method of organizing districts in cities and towns; providing this act shall not in any manner affect or repeal other laws providing other methods of organizing districts nor repeal or affect laws providing for the organization of water improvement districts, levee improvement districts or drainage districts, but that this act shall apply to and affect only districts organized hereunder or converted into water control and improvement districts under the provisions hereof, and declaring an emergency."

H. B. No. 160, A bill to be entitled "An Act to create the Muleshoe Independent School District in Bailey county, Texas; including the present Muleshoe Consolidated Common School District No. 1, of said county, and also including Sections 22 and 23, in Block Y out of Hurléy Common School District No. 1, of said county; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Muleshoe Common School District No. 1 shall continue to act as such until their successors are elected in accordance with the general laws of Texas; providing a board of trustees to have power to appoint a tax assessor and collector and board of equalization of said district; providing that outstanding bonds shall remain chargeable against the territory which voted same, and providing that the local tax assessment as heretofore existed in the Muleshoe Consolidated School District herein created; repealing all laws in conflict therewith, and declaring an emergency," with amendments.

S. B. No. 227, A bill to be entitled "An Act to amend Chapter 55, Special Laws of the Thirty-second Legislature, Regular Session, being entitled 'An Act creating the Briggs Independent School District in Burnet county, Texas; defining its metes and bounds; providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency,' by amending Section 4 of the said act so that the same shall hereafter read as herein set out, and declaring an emergency."

S. B. No. 216, A bill to be entitled "An Act to amend Chapter 28, Special Laws of the Thirty-second Legislature, Regular Session, being entitled 'An Act creating the Oak Alla Independent School District in Burnet county, Texas; defining its metes and bounds; providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency,' by amending Section 4 of the said act so that the same shall hereafter read as herein set out, and declaring an emergency."

The Senate has agreed to concur in the House amendments to Senate bill No. 112, by the following vote: 28 yeas, 0 nays.

The Senate grants the request of the House for a Free Conference Committee on House bill No. 80, and the President announces the appointment of the following on the part of the Senate on House bill No. 80: Senators Price, Woodward, Floyd, Wirtz and Hardin of Erath.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### HOUSE BILL NO. 160 WITH SENATE AMENDMENTS.

Mr. Smyth called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 160, A bill to be entitled "An Act to create the Muleshoe Independent School District in Bailey county, Texas, including the present Muleshoe Consolidated Common School District No. 1, of said county, and also including Sections 22 and 23, in Block Y out of Hurley Common School District No. 1, of said county; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Muleshoe Consolidated Common School District No. 1 shall continue to act as such until their successors are elected in accordance with the general laws of Texas; providing board of trustees to have power to appoint a tax assessor and collector and board of equalization of said district; providing that outstanding bonds shall remain chargeable against the territory which voted same, and providing that the local tax assessment as heretofore existed in

the Muleshoe Consolidated School District herein created; repealing all laws in conflict therewith, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Smyth, the House concurred in the Senate amendments.

#### RELATING TO PENITENTIARY INVESTIGATING COMMITTEE.

Mr. Smith of Travis offered the following resolution:

Resolved by the House, That the Penitentiary Investigating Committee is instructed to hold open sessions at all times and that we endorse the stand taken by Mr. Irwin.

Signed—Smith of Travis, Bartlett, Harman, Purl, Wells, Bonham, Sheats.

The resolution was read second time

Mr. Frnka offered the following substitute for the resolution:

Resolved, That the House go on record as **having** full confidence in its Penitentiary Investigating Committee and that it is the sense of this House that said committee be the sole judge of its procedure; and be it further

Resolved, That the House express to Mr. Irwin its confidence in his earnestness and sincerity.

Mr. Smith of Travis moved to table the substitute resolution.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

#### Yeas—59.

|                  |                   |
|------------------|-------------------|
| Acker.           | Florence.         |
| Albritton.       | Harman.           |
| Alexander        | Harper.           |
| of Bastrop.      | High.             |
| Atkinson.        | Hollowell.        |
| Avis.            | Hoskins.          |
| Baker of Orange. | Jacks.            |
| Bartlett.        | Jasper.           |
| Bateman.         | Johnson.          |
| Bedford.         | Jordan.           |
| Bonham.          | Kinnear.          |
| Brown.           | Laird.            |
| Carter.          | Lane of Hamilton. |
| Coffey.          | McDonald.         |
| Conway.          | McFarlane.        |
| Covey.           | McGill.           |
| Cox of Navarro.  | Merritt.          |
| Cummings.        | Moore.            |
| Davis of Dallas. | Nicholson.        |
| Davis of Wood.   | Perdue.           |
| Donnell.         | Petsch.           |
| Downs.           | Poage.            |
| Durham.          | Purl.             |
| Enderby.         | Rawlins.          |
| Finlay.          | Renfro.           |

|                  |           |
|------------------|-----------|
| Robinson.        | Tomme.    |
| Sheats.          | Walker.   |
| Smith of Travis. | Webb.     |
| Stell.           | Wells.    |
| Stevens.         | Woodruff. |
| Taylor.          |           |

#### Nays—56.

|                   |                  |
|-------------------|------------------|
| Amsler.           | Pearce.          |
| Baker of Panola.  | Pool.            |
| Barron.           | Pope.            |
| Bean.             | Raymer.          |
| Blount.           | Rice.            |
| Bobbitt.          | Rogers.          |
| Boggs.            | Rowell.          |
| Cade.             | Runge.           |
| Chitwood.         | Sanford.         |
| Coody.            | Shearer.         |
| Cox of Lamar.     | Simmons.         |
| DeBerry.          | Simpson.         |
| Dielmann.         | Smith of Nueces. |
| Dunn of Falls.    | Smyth.           |
| Fields.           | Sparks.          |
| Foster.           | Stevenson.       |
| Frnka.            | Storey.          |
| Graves.           | Stout.           |
| Gray.             | Strong.          |
| Hagaman.          | Teer.            |
| Hall.             | Veatch.          |
| Kayton.           | Wade.            |
| King.             | Wallace.         |
| Lane of Harrison. | Westbrook.       |
| Lipscomb.         | Wester.          |
| Loftin.           | Williamson.      |
| Mankin.           | Wilson.          |
| Masterson.        | Young.           |
| Montgomery.       |                  |

#### Present—Not Voting.

Irwin.

#### Absent.

|                  |                |
|------------------|----------------|
| Alexander        | Low.           |
| of Limestone.    | Maxwell.       |
| Barker.          | McBride.       |
| Bryant.          | McKean.        |
| Dale.            | Parish.        |
| Dinkle.          | Pavlica.       |
| Dunn of Hopkins. | Rowland.       |
| Farrar.          | Sinks.         |
| Faulk.           | Stautzenberger |
| Houston.         | Thompson.      |
| Kittrell.        |                |

#### Absent—Excused.

|          |            |
|----------|------------|
| Bird.    | Kemble.    |
| Daniels. | Kenyon.    |
| Dunlap.  | McDougald. |
| Hull.    | McNatt.    |
| Jones.   | Powell.    |
| Justice. |            |

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

## Yeas—70.

|                  |                   |
|------------------|-------------------|
| Mr. Speaker.     | Hoskins.          |
| Acker.           | Jacks.            |
| Albritton.       | Jasper.           |
| Alexander        | Johnson.          |
| of Bastrop.      | Jordan.           |
| Alexander        | Kinnear.          |
| of Limestone.    | Laird.            |
| Atkinson.        | Lane of Hamilton. |
| Avis.            | Lipscomb.         |
| Baker of Orange. | McBride.          |
| Barker.          | McDonald.         |
| Bartlett.        | McFarlane.        |
| Bedford.         | McGill.           |
| Bonham.          | McKean.           |
| Brown.           | Merritt.          |
| Carter.          | Moore.            |
| Coffey.          | Nicholson.        |
| Conway.          | Perdue.           |
| Coody.           | Petsch.           |
| Covey.           | Poage.            |
| Cox of Lamar.    | Pope.             |
| Cox of Navarro.  | Purl.             |
| Cummings.        | Rawlins.          |
| Davis of Dallas. | Renfro.           |
| Davis of Wood.   | Robinson.         |
| Donnell.         | Rowland.          |
| Downs.           | Sheats.           |
| Durham.          | Simmons.          |
| Enderby.         | Smith of Travis.  |
| Faulk.           | Stell.            |
| Finlay.          | Stevens.          |
| Florence.        | Taylor.           |
| Graves.          | Tomme.            |
| Harman.          | Veatch.           |
| Harper.          | Webb.             |
| High.            | Wells.            |
| Hollowell.       | Woodruff.         |

## Nays—47.

|                   |                  |
|-------------------|------------------|
| Amsler.           | Pearce.          |
| Baker of Panola.  | Pool.            |
| Barron.           | Raymer.          |
| Bateman.          | Rice.            |
| Bean.             | Rogers.          |
| Blount.           | Rowell.          |
| Bobbitt.          | Runge.           |
| Boggs.            | Sanford.         |
| Cade.             | Shearer.         |
| Chitwood.         | Simpson.         |
| DeBerry.          | Smith of Nueces. |
| Dielmann.         | Smyth.           |
| Dunn of Falls.    | Sparks.          |
| Fields.           | Storey.          |
| Foster.           | Stout.           |
| Frnka.            | Strong.          |
| Gray.             | Teer.            |
| Hagaman.          | Wade.            |
| Hall.             | Westbrook.       |
| Kayton.           | Wester.          |
| King.             | Williamson.      |
| Lane of Harrison. | Wilson.          |
| Loftin.           | Young.           |
| Masteron.         |                  |

## Present—Not Voting.

|                  |                 |
|------------------|-----------------|
| Dale.            | Walker.         |
| Irwin.           |                 |
|                  | Absent.         |
| Bryant.          | Montgomery.     |
| Dinkle.          | Parish.         |
| Dunn of Hopkins. | Pavlica.        |
| Farrar.          | Sinks.          |
| Houston.         | Stautzenberger. |
| Kittrell.        | Stevenson.      |
| Low.             | Thompson.       |
| Mankin.          | Wallace.        |
| Maxwell.         |                 |

## Absent—Excused.

|          |            |
|----------|------------|
| Bird.    | Kemble.    |
| Daniels. | Kenyon.    |
| Dunlap.  | McDougald. |
| Hull.    | McNatt.    |
| Jones.   | Powell.    |
| Justice. |            |

## Reason for Vote.

I vote "nay" on the question of the adoption of the resolution by Smith of Travis, relative to holding open sessions by the Penitentiary Investigating Committee, because it instructs members of the Senate on that committee what they shall do, and I do not believe that the House can bind the Senate members by a simple resolution. I would gladly vote for that part of the resolution which expresses our confidence in the honesty and sincerity of Mr. Irwin.

## MASTERSON.

Mr. Smith of Travis moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

## NOTICE GIVEN.

Mr. Wallace gave notice that he would on tomorrow ask to be taken up at that time House bill No. 100.

## ADJOURNMENT.

On motion of Mr. Finlay, the House, at 4:30 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Appropriations—House bill No. 382.  
Revenue and Taxation—House bill No. 237.

School Districts—House bills Nos. 285, 316, 364, 315, 187, 351, 338, 284, 195.

Constitutional Amendments—House joint resolutions Nos. 11, 12, 10.

Criminal Jurisprudence—House bill No. 217.

Judiciary—House bills Nos. 280, 192.

Banks and Banking—Senate bills Nos. 114, 112.

Game and Fisheries—House bills Nos. 321, 279, 299.

Public Health—House bill No. 295.

The following committees have filed unfavorable reports on bills, as follows:

Agriculture—House bill No. 349.

Public Health—House bill No. 121.

Judiciary—House bill No. 170.

Insurance—House bill No. 254.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, February 5, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 194, A bill to be entitled "An Act making appropriations to pay salaries of judges, and the support and maintenance of the Judicial Department of the State government for the two-year period beginning September 1, 1925, and ending August 31, 1927, and declaring an emergency,"

And find the same correctly engrossed.

ROWELL, Chairman.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, February 5, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 116, "An Act to authorize owners of oil and gas permits and leases heretofore or hereafter issued on University land to sell and transfer same, as a whole or in tracts, not less than forty acres; providing for recording transfers, filing same in the General Land Office; subdividing permits and leases, upon payment of certain fees; providing for dissolution of combined permits and leases; appropriating fees to general revenue and University available fund; providing for assignees

to assume obligations of the original permittee or lessee, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

#### TWENTY-FIRST DAY.

(Saturday, February 7, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

|                  |                   |
|------------------|-------------------|
| Acker.           | High.             |
| Albritton.       | Hollowell.        |
| Alexander        | Hoskins.          |
| of Bastrop.      | Jacks.            |
| Alexander        | Jasper.           |
| of Limestone.    | Jordan.           |
| Amsler.          | King.             |
| Atkinson.        | Kinnear.          |
| Avis.            | Laird.            |
| Baker of Orange. | Lane of Hamilton. |
| Baker of Panola. | Lane of Harrison. |
| Barker.          | Loftin.           |
| Barron.          | Mankin.           |
| Bartlett.        | Masterson.        |
| Bateman.         | McBride.          |
| Bean.            | McDonald.         |
| Bedford.         | McFarlane.        |
| Blount.          | McGill.           |
| Bobbitt.         | Merritt.          |
| Boggs.           | Montgomery.       |
| Bonham.          | Moore.            |
| Brown.           | Nicholson.        |
| Conway.          | Pavlica.          |
| Coody.           | Pearce.           |
| Covey.           | Perdue.           |
| Cox of Lamar.    | Petsch.           |
| Cox of Navarro.  | Poage.            |
| Cummings.        | Pool.             |
| Dale.            | Pope.             |
| Davis of Dallas. | Rawlins.          |
| Davis of Wood.   | Raymer.           |
| DeBerry.         | Renfro.           |
| Dinkle.          | Rice.             |
| Donnell.         | Robinson.         |
| Downs.           | Rogers.           |
| Dunn of Falls.   | Rowell.           |
| Dunn of Hopkins. | Rowland.          |
| Durham.          | Runge.            |
| Enderby.         | Shearer.          |
| Faulk.           | Sheats.           |
| Fields.          | Simmons.          |
| Finlay.          | Simpson.          |
| Florence.        | Smith of Nueces.  |
| Frnka.           | Smith of Travis.  |
| Graves.          | Smyth.            |
| Gray.            | Sparks.           |
| Hall.            | Stell.            |
| Harman.          | Stevens.          |
| Harper.          | Storey.           |